

FILED

9/28/2023

SMB

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

United States District Court for the
Northern District of Illinois, Western Division

ERIC T. BERNARD,
PLAINTIFF,
v.
ROB JEFFREYS, et al.,
DEFENDANTS

Case No. 20-CV-50413

The Honorable
Judge MATIN JOHNSTON

PC SCAN

PLAINTIFF'S Response To PLAINTIFF'S
COUNSEL Motion For Relief
From Assignment Pursuant To L.R. 83.38
And To Withdraw

1. On September 19, 2023 PLAINTIFF'S ATTORNEY
WITHOUT NOTICE TO PLAINTIFF, HAS FILED A MOTION
FOR RELIEF FROM ASSIGNMENT AND TO WITHDRAW.

2. THIS MOTION WAS BROUGHT IN BAD FAITH AND
ATTORNEY Nicole Kelly COMMITTED FRAUD BEFORE
THE COURT.

3. In his Motion, counsel claims that on
September 18, 2023 a personal incompatibility
arose with Plaintiff and the attorney on
this case causing a conflict of interest such
that it would be unreasonably difficult for
counsel to continue representation of Plaintiff
effectively and independently.

4. Plaintiff represents to this court that there is no conflict of interest between him and his attorney.

5. Attorney Kelly is attempting to misguide this court by making it appear as if there's a conflict of interest when NO conflict of interest exist.

6. Prior to the filing of Attorney Kelly's motion, Plaintiff had wrote his attorney Sophie Honckman seeking advice and speaking on topics from a recent visit with Plaintiff and Honckman. Nothing in this letter would cause a conflict of interest in this case.

7. The TRUTH is that Attorney Kelly is NOT pleased now the court has separated Plaintiff's claims in different lawsuits and feels that this court is putting a heavy burden on the firm because the claims is on going through a four year time frame.

8. Instead of directly expressing to this court that it is NOT pleased with its decisions and orders. Attorney is trying to present a conflict of interest claim to misguide this court to be relief from assignment.

20f4

9. ATTORNEY HAS expressed to PLAINTIFF HER DISAPPROVAL OF THIS COURT CONCERNING CLAIMS FOR THESE CASES AS STUPID.

10. PLAINTIFF INFORMED ATTORNEY Kelly THAT IF IT IS UPSET WITH HOW THE COURT MADE ITS ORDERS THE SHE SHOULD ADDRESS THE COURT WITH HER CONCERNs, HOWEVER, SHE DIDNT AND WAS LOOKING FOR ANY little REASON TO CREATE A SITUATION TO MAKE FOR RELIEF OF ASSIGNMENT AND TO WITHDRAW.

11. AS THE COURT CAN SEE IN ATTORNEY Kelly's MOTION THAT HER SHE ONLY MENTIONED ONCE A INDESCRIMINATE DESCRIPTION OF A CONFLICT OF INTEREST BUT HEAVILY POINTS OUT THE HOURS THAT HER FIRM HAS PUT IN ON NOT JUST THIS CASE BUT ALL PRO BONO CASES AT HER FIRM.

THIS SHOWS THAT THIS IS NOT ABOUT A CONFLICT OF INTEREST BUT RATHER HOW MANY HOURS THAT THEY DID ON PRO BONO CASES.

12. SINCE THERE'S NO CONFLICT OF INTEREST AND NO GROUNDS FOR RELIEF OF ASSIGNMENT OR TO WITHDRAW, ATTORNEY Kelly MOTION SHOULD BE DENIED

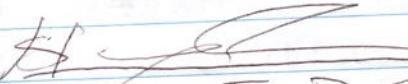
13. IN ADDITION, IN BERNARD V. JEFFREYS 20-CV-50412, PLAINTIFF'S ATTORNEY IN THAT CASE HAS FILED A TEMPORARY RESTRAINING ORDER AND A SOON

Preliminary Injunction Relief. Plaintiff's attorney in that case contacted this attorney Kelly asking that they join in on the motion to get urgent relief for Plaintiff's medical needs. Attorney Kelly simply didn't because she didn't like how the court separated the claims in different cases.

If this case goes to far gone to start over, Plaintiff will be prejudiced.

Conclusion

For these above stated reasons, Plaintiff request that Attorney Kelly Motion To Be Relief Of Assignment AND Withdraw Be DENIED AND THAT THE CASE MOVES FORWARD


ERIC E. BERNATH #D25318
2680 N. BRUNSWICK AVE
DIXON, IL 61021

4 of 4